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Atty Doc. No. 814.0035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION EXAMINING OPERATIONS

In re the Application of :
Wusi C. Maki et al : Group Art Unit: 1641

Serial No. 10/567,233 : Examiner: Yu, Melanie J.

Filed: February 6, 2006 : (571) 272-2933

For a Patent for : Date: August 24, 2009
MOLECULAR DETECTOR

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On August 5, 2009, a Revocation of Power of Attorney with a New Power of Attorney was filed in the Patent Office together with a Statement under 3.73(b) signed by the assignee of this application. On that same day as required, two assignment documents, one from 5 of the six named inventors and one from the remaining one inventor, were filed in the Patent Office.

On August 14, 2009 a Denial of Request for Power of Attorney, attached hereto, was issued by the Patent Office and sent to me, the undersigned attorney. The Denial of Request stated that the Certificate under 3.73(b) had not been received.

On August 20, 2009, I contacted the Application Assistance Unit at the telephone number indicated on the bottom of the Denial of Request and was informed that the Examiner

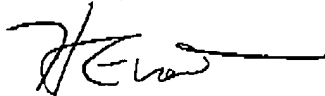
should be contacted. On August 24, 2009, I spoke with Examiner Melanie Yu who indicated that the Certificate under 3.73(b) had been received and requested I call the Application Assistance Unit again to determine what the problem might be.

I then called the Application Assistance Unit and was informed that the Certificate under 3.73(b) was defective because it did not state the Reel and Frame numbers for the recordation of the assignment of this application to the assignee. I responded that it was not possible to do that at the time that the 3.73(b) Certificate was filed because, in accordance with the instructions checked at the bottom of the 3.73(b) form, the documentary evidence of the chain of title (assignment from the inventors to the assignee) to the assignee is concurrently being submitted for recordation pursuant to 37 CFR 3.11 and, therefore, the information regarding the Reel and Frame numbers was not available at that time.

The Application Assistance Unit then informed me that what I had to do was to re-submit the 3.73(b) Certificate that had previously been submitted but that I should hand-write the reel and frame numbers on the document. Therefore, submitted herewith is the same Statement under 3.73(b) that was submitted on August 5, 2009 but with the Reel and Frame numbers indicated at box 3A.

With this submission, it is submitted that the Power of Attorney request should be granted.

Respectfully submitted,

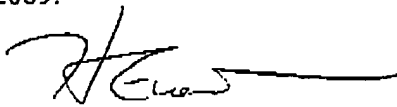


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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office at (571) 273-8300 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on August 24, 2009.

Dated: August 24, 2009



Howard M. Eisenberg